

Docket No. 278868US0PCT

IN RE APPLICATION OF: Nobuaki ETO, et al.

SERIAL NO: 10/550,857

FILED: September 26, 2005

FOR: COMPOUND INHIBITING IN VIVO PHOSPHORUS TRANSPORT AND MEDICINE CONTAINING THE SAME



COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

☐ No additional fee is required

☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.

☒ Additional documents filed herewith: Response to Notice of Missing Requirements/English Translation of the Specification Drawings (4 Pages)/Declaration/Declarations of Rika Suzuki and Tetsuko Miyazaki Supplemental Application Data Sheet/Notification of Missing Requirements

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS	
TOTAL	76	MINUS	20	56	x \$50 =	\$2,800.00	
INDEPENDENT	2	MINUS	3	0	x \$200 =	\$0.00	
APPLICATION SIZE	623	MINUS	100	11 (each addtl. 50 sheets)	x \$250 =	\$2,750.00	
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$360 =	\$0.00	
		TOTAL OF ABOVE CALCULATIONS					\$5,550.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity					\$0.00
		TOTAL					\$5,550.00

☐ A check in the amount of \$0.00 is attached.

☒ Credit card payment form is attached to cover the fees in the amount of \$5,550.00

☒ Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

04/13/2006 GFREY1 00000130 10550857

01 FC:1615  
02 FC:1681

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2750.00 09

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DOCKET NO.: 278868US0PCT



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Nobuaki ETO et al.

SERIAL NUMBER: 10/550,857

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FOR: COMPOUND INHIBITING IN VIVO PHOSPHORUS TRANSPORT AND  
MEDICINE CONTAINING THE SAME

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

COMMISSIONER FOR PATENTS

Box PCT

Alexandria, VA 22313

SIR:

Responsive to the notification dated February 14, 2006, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith an English translation, a Rule 63 Declaration, a Supplemental Application Data Sheet, Declarations of Rika Suzuki and Tetsuko Miyazaki and a Preliminary Amendment.

The processing fee for filing the English Translation of the specification was paid at the time of filing the application. However, the additional claim fees of \$2,800 and the additional fee for additional pages of the specification, in excess of 100 pages, of \$2,750 are enclosed herewith.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our check in the amount of \$-0.00- is attached hereto. If any variance exists between the amount enclosed and the required Government fee, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

A handwritten signature in cursive script, appearing to read "Marvin J. Spivak".

Marvin J. Spivak  
Attorney of Record  
Registration No. 24,913  
Surinder Sachar  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/550,857	FIRST NAMED APPLICANT Nobuaki Eto	ATTY. DOCKET NO. 278868US0PCT
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INTERNATIONAL APPLICATION NO. PCT/JP04/04427
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I.A. FILING DATE 03/29/2004	PRIORITY DATE 03/27/2003
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22850  
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ALEXANDRIA, VA 22314

CONFIRMATION NO. 3600

371 FORMALITIES LETTER



\*OC000000018008536\*

ET

Date Mailed: 02/14/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/26/2005
- Copy of the International Search Report filed on 09/26/2005
- Request for Immediate Examination filed on 09/26/2005
- U.S. Basic National Fees filed on 09/26/2005
- Priority Documents filed on 09/26/2005
- Non-English Language Application filed on 09/26/2005
- Specification filed on 09/26/2005
- Claims filed on 09/26/2005
- Abstracts filed on 09/26/2005
- Drawings filed on 09/26/2005

RECEIVED: 2-21-06  
OBLON, SPIVAK, McCLELLAND  
MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: cox / 2-21-06  
Type of Resp(s): DD / Trans C  
Due Date(s): 4-14-06

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$3500 for a Large Entity:

- The specification and drawings contain more than 100 pages. Applicant owes \$3500 for 687 pages in

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excess of 100 pages for a non-small entity.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/550,857	PCT/JP04/04427	278868US0PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)

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